



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)

(Implements RCW 34.05.310)

Do **NOT** use for expedited rule making

Agency: Department of Social and Health Services, Developmental Disabilities Administration

Subject of possible rule making:

The Department plans to adopt new rules in chapter 388-845 WAC related to new Centers for Medicare & Medicaid Services (CMS) waiver amendments to the Basic Plus Waiver and Core Waiver for Wellness Education.

Statutes authorizing the agency to adopt rules on this subject:

RCW 71A.12.030, RCW 34.05.350(1)(b), 42 CFR 441.510 (d)

Reasons why rules on this subject may be needed and what they might accomplish:

The Basic Plus Waiver and Core Waiver both provide home and community-based services to individuals as an alternative to placement in an Intermediate Care Facility for Individuals with Intellectual Disabilities. CMS approved an amendment that removes Personal Care services from those waivers, as those services are available through the state's 1915(k) Community First Choice (CFC) Option Program in the Medicaid State Plan. The CMS amendments also added a new service, Wellness Education, to both the Basic and Core waivers which provides wellness information to participants designed to assist them in achieving goals identified during their person-centered planning process. The rules to be proposed will support the CMS decision and be in compliance with 42 CFR 441.510 (d).

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: NA

Process for developing new rule (check all that apply):

- ☐ Negotiated rule making
- ☐ Pilot rule making
- ☐ Agency study
- ☒ Other (describe)

DSHS welcomes the public to take part in developing the rules. Anyone interested should contact the staff person identified below. At a later date, DSHS will file a proposal with the Office of the Code Reviser with a notice of proposed rule making. A copy of the proposal will be sent to everyone on the mailing list and to anyone who requests a copy.

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.) Contact:

Alan McMullen,
Developmental Disabilities Administration
P.O. Box 45310

Olympia, WA 98504-5310

Phone: 360-725-3524

Fax: 360-407-0955

TTY: 1-800-833-6388

E-mail: alan.mcmullen@dsHS.wa.gov

DATE

September 3, 2015

NAME (TYPE OR PRINT)

Katherine Vasquez

SIGNATURE

TITLE

DSHS Rules Coordinator

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: September 03, 2015

TIME: 3:17 PM

WSR 15-19-018